

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

MICHAEL BEVILL,

Defendant.



23-CR-140-LJV-HKS
DECISION & ORDER

1. On May 13, 2024, the defendant, Michael Bevill, pleaded guilty to Count 1 of the Information charging a violation of Title 18, United States Code, Section 2251(a) (production of child pornography). Docket Item 19.

2. On May 13, 2024, the Honorable H. Kenneth Schroeder, Jr., United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Item 20.

3. This Court has not received objections to the Report & Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed *de novo* Judge Schroeder's Report & Recommendation (Docket Item 20), the plea agreement (Docket Item 19), the information (Docket Item 18), a transcript of the plea proceeding (Docket Item 21), and the applicable law. Based on that review, this Court conducted a subsequent plea colloquy on August 16, 2024.

5. With the addition of this Court's subsequent plea colloquy, the Court adopts Judge Schroeder's recommendation that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty of Count 1 of the Information.

IT IS HEREBY ORDERED that this Court adopts Judge Schroeder's May 13, 2024 Report & Recommendation, Docket Item 20, in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Michael Bevill is now adjudged guilty under Title 18, United States Code, Section 2251(a).

SO ORDERED.

Dated: August 16, 2024
Buffalo, New York



LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE